

WDN/SAS:jam 08/23/02 6235-5922 16344

PATENT  
Attorney Reference Number 6235-59221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita and Oghihara

Art Unit: 1635

Application No.: 09/869,475

Filed: June 28, 2001

For: GENE THERAPY FOR DIABETIC  
ISCHEMIC DISEASE

Examiner: Brian Whiteman

Date: August 23, 2002

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence and any documents referred to as being transmitted herewith are being facsimile transmitted to Examiner Brian Whiteman, U.S. Patent and Trademark Office at facsimile telephone number (703) 308-4556 on August 23, 2002. A total of 2 pages are being transmitted herewith.

  
Susan Alpert Siegel, Ph.D.  
Agent for Applicant

**FAX RECEIVED**  
AUG 26 2002  
GROUP 1600

TRANSMITTAL LETTER


COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Attached are copies of a Transmittal Letter and Preliminary Amendment which were submitted to the U.S. Patent and Trademark Office on June 29, 2001, via Express Mail Label No. EL828141742US, in connection with the above-identified patent application. These documents are being transmitted pursuant to Examiner Brian Whiteman's telephone request of August 23, 2002. Applicants thank the Examiner for the telephone conference of August 23, 2002.

Applicants believe that no additional fees are due. However, in the unlikely event that further fees are required, please charge Deposit Account No. 02-4550.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By   
Susan Alpert Siegel, Ph.D.  
Registration No. 43,121

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing

WJN/SAS:gtc 06/29/01 6235-59221 59284.doc

EXPRESS MAIL LABEL NO. EL828141742US

DATE OF DEPOSIT: June 29, 2001

PATENT

Attorney Reference Number 6235-59221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita and Ogihara

Art Unit: To be assigned

Application No.: To be assigned  
(U.S. National Stage of PCT/JP00/07502)

Filed: June 28, 2001

For: GENE THERAPY FOR DIABETIC  
ISCHEMIC DISEASE

Examiner: To be assigned

Date: June 29, 2001

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on June 29, 2001 as Express Mail Label No. EL828141742US in an envelope addressed to: BOX PCT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

*William D Noonan*

William D. Noonan, M.D.  
Attorney for Applicant

TRANSMITTAL LETTER

BOX PCT  
COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

The above-identified U.S. National Stage Application was filed under 35 U.S.C. § 371 on June 28, 2001, as a national stage of PCT Application No. PCT/JP00/07502. The Preliminary Amendment that was filed with the application was inadvertently left unsigned. Enclosed is a signed Preliminary Amendment for this application. Please enter the Preliminary Amendment prior to calculation of fees.

- A Marked-up Version of Amended Claims Pursuant to 37 C.F.R. §§ 1.121(b)-(c) is attached.
- Please return the enclosed postcard to confirm that the item listed above has been received.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By *William D Noonan*  
William D. Noonan, M.D.  
Registration No. 30,878

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391 / Facsimile: (503) 228-9446

cc: Docketing

EL828141742US